

INDIANA BOARD OF PHARMACY

**Indiana Professional Licensing Agency
Conference Center, Room W064
402 W. Washington St.
Indianapolis, IN 46204**

MINUTES OF January 8, 2007

CALL TO ORDER & ESTABLISHMENT OF QUORUM

President and Presiding Officer Donna Wall called the meeting to order at 9:09 in Conference Center Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204, and declared a quorum, in accordance with IC § 25-26-13-3.

Board Members Present:

Donna Wall, PharmD, R.Ph, President
Steve Anderson, R.Ph., Vice President
Del T. Fanning, R.Ph., Member
Winnie Landis, R.Ph., Member

Board Members Absent:

William Cover, R.Ph., Member
Sara St. Angelo, R.Ph., Member

State Officials Present:

Marty Allain, Board Director, Indiana Professional Licensing Agency
Amy Phillips, Assistant Board Director, Indiana Professional Licensing Agency
Gordon White, DAG, Advisory Counsel, Office of the Attorney General

ADOPTION OF AGENDA

A motion was made and seconded to adopt the agenda, as amended.

Landis/Fanning

Motion carried 4/0/0

PERSONAL APPEARANCES

Paul Ek—Request to Retake MPJE

Paul Ek has requested to retake the NAPLEX. A motion was made and seconded to approve the application.

Landis/Fanning

Motion carried 4/0/0

Inspector Reports were given by the Inspectors.

A motion was made and seconded to approve the following closings:

<i>Store</i>	<i>Type</i>	<i>Date closed</i>
HomeMed Solutions Corporation 6210 Technology Center Dr Indianapolis, IN 46278	VI	December 12, 2006
Ely Pharmacy 206 S Main St Montpelier, IN 47359	I	December 12, 2006
HLS Pharmacies Inc Hwy 231 S Loogootee, IN 47553	VI	December 10, 2006
Davis Drug Store Inc 101 E Beaver St Corydon, IN 47112	VI	November 8, 2006
Garrett Pharmacare, LLC 100 S Randolph St Garrett, IN 46738	I	December 12, 2006
Fischer Pharmacare LLC 538 E Albion St Avilla, IN 46710	VI	December 12, 2006
Fischer Pharmacare LLC 112 N Orange Albion, IN 46701	VI	December 12, 2006
Reid Sav-On Drugs 815 W Chicago Ave E Chicago, IN 46312	VI	December 15, 2006
Pharma-Card East Chicago 2121 E Columbus Dr E Chicago, IN 46312	VI	December 15, 2006

Landis/Anderson

Motion carried 4/0/0

A motion was made and seconded to approve the training program for Long Term Rx.

Landis/Anderson

Motion carried 4/0/0

A motion was made and seconded to approve the pharmacy technician application for Chelsea Dixon contingent upon an employer letter.

Landis/Fanning

Motion carried 3/0/1 (Anderson)

The Board approved the appearances of the following probationers:

Ruth Murr
Elaine Niese
Edward Hine
Gary Trauth
Ernest Whitacre

Anderson/Landis

Motion carried 4/0/0

The Board approved the appearances of the following probationers:

James Dudek
Clark Goodwin
Charmaine Hendrix
Ricky Matthews
Teri Mihelich
Ruth Murr
Muataz Noffel
Jeremiah Strunc
Daniel Weaver

Fanning/Landis

Motion carried 4/0/0

A motion was made and seconded to approve the following change of location/remodel applications:

New	Old	Received
HomeMed Pharmacy 6210 Technology Center Dr Ste 300 Indianapolis, IN 46278	6210 Technology Center Dr Ste 100 Indianapolis, IN 46278	December 21, 2006
Hangers Medical Arts Pharmacy 207 Sparks Ave Jeffersonville, IN 47130	Remodel	December 29, 2006
Indiana Veteran's Home 3851 N River Rd Lafayette, IN 47906	Relocation/Remodel	December 20, 2006

Fanning/Landis

Motion carried 4/0/0

A motion was made and seconded to approve the application pending PIC signatures on the CSR applications.

Hook-SupeRx, Inc Dbas CVS/pharmacy #3195 1000 N College Ave Bloomington, IN 47404	1711 N College Ave Bloomington, IN 47404	December 22, 2006
Hook-SupeRx, Inc Dbas CVS/pharmacy #6464 210 N Main St Mishawaka, IN 46544	423 E 4 th St Mishawaka, IN 46544	November 13, 2006

Fanning/Anderson

Motion carried 4/0/0

PERSONAL APPEARANCES

Darryl Fraylon—Positive Response Pharmacy Technician Application

Darryl Fraylon appeared before the Board regarding a positive response on pharmacy technician application. A motion was made and seconded to approve the application.

Landis/Fanning

Motion carried 4/0/0

ADMINISTRATIVE HEARINGS

State of Indiana vs. Karen Fisher, R.Ph.

License No. 26016812A

Administrative Cause No. 2001 IBP 10

Re: Petition to Reinstate Suspended License

Parties and Counsel Present:

Shelley Johnson, Deputy Attorney General

Abe Murphy, Respondent's counsel

Karen Fisher, Respondent

Participating Board Members:

Wall

Anderson

Fanning

Landis

Case Summary:

A petition to reinstate the suspended license was filed by the Respondent.

Witnesses for the Respondent:

Karen Fisher

Witnesses for the State:

None

Board Action:

A motion was made and seconded to reinstate Respondent's license including five (5) years of probation upon successful completion of the NAPLEX and MPJE.

Landis/Anderson

Motion carried 4/0/0

State of Indiana vs. Daniel Behrens, R.Ph.

License No. 26020621A

Administrative Cause No. 2006 IBP 0027

Re: Extension of Summary Suspension

Parties and Counsel Present:

Tracy Fitz, Deputy Attorney General

Participating Board Members:

Wall

Anderson

Fanning

Landis

Case Summary:

A petition to extend the summary suspension of the Respondent was filed by the State.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and extend the summary suspension of the Respondent for an additional ninety (90) days.

Landis/Fanning

Motion carried 4/0/0

In the matter of Clark Goodwin, Pharmacy Technician

Certification No. 67008484A

Administrative Cause No. 2005 IBP 0035

Re: Petition to Withdraw Probation

Parties and Counsel Present:

Clark Goodwin

Participating Board Members:

Wall

Fanning

Anderson

Landis

Case Summary:

A petition to withdraw probation was filed by Respondent.

Witnesses for the Respondent:

Clark Goodwin

Witnesses for the State:

None

Board Action:

A motion was made and seconded to withdraw probation on Respondent's license.

Fanning/Landis

Motion carried 4/0/0

A motion was made and seconded to approve the following continuing education hours:

Karen Blake (6)

Ann Yates (3-1hr)

Anderson/Landis

Motion carried 4/0/0

A motion was made and seconded to approve the following continuing education hours:

Anita Stevens (5)

Anderson/Landis

Motion carried 4/0/0

A motion was made and seconded to approve the following continuing education hours:

Anderson/Fanning

Motion carried 4/0/0

A motion was made and seconded to approve the following HME Provider applications pending inspection:

Premier Home Care Inc
Disetronic Medical Systems Inc
Saint John's Health System
Clinical Wound Solutions, LLC
Electromed Inc.
American Oxygen and Medical Equipment Inc.
Cardinal Home Medical

Anderson/Landis

Motion carried 4/0/0

A motion was made and seconded to approve the change of locations of the following:

Lincare, Inc—Change of Location
American Medical Oxygen Sales Corp.

Anderson/Fanning

Motion carried 4/0/0

Board to notify NovaVision that license is not necessary.

A motion was made and seconded to approve the following licensure transfers:

Anibal Navarro	(PR)
Leslie Kalvass	(CO)
Brian Hardesty	(SC)
Kelly Carver	(KY)
Kathryn Bray	(OH)
Janet Booth	(GA)
Samer Youssef	(MI)
Andrew Lampkins	(IL)
Gervasis Manuel	(MI)
Walter Soja	(RI)

Fanning/Landis

Motion carried 4/0/0

A motion was made and seconded to deny the following license transfer based on applicant not having the FPGE certificate:

Anilkumar Patel	(FL)
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Fanning/Landis

Motion carried 4/0/0

A motion was made and seconded to approve the following non-resident pharmacy applications :

Walgreens Home Care, Inc

Landis/Anderson

Motion carried 4/0/0

A motion was made and seconded to table the following wholesale drug applications for more information:

Nextwave Pharmaceuticals, Inc
InterMune
PDL BioPharma, Inc

Wall/Landis

Motion carried 4/0/0

A motion was made and seconded to approve the following wholesale drug applications:

Praxair Distribution Inc
Koehler Welding Supply Inc

Wall/Anderson

Motion carried 4/0/0

State of Indiana vs. Beth Thompson, Pharmacy Technician

Certification No. 67006723A
Administrative Cause No. 2005 IBP 0018
Re: Extension of Summary Suspension

Parties and Counsel Present:

Linda Batten, Deputy Attorney General

Participating Board Members:

Wall
Fanning
Anderson
Landis

Case Summary:

A petition to extend the summary suspension was filed by the State.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

Landis/Anderson

Motion carried 4/0/0

State of Indiana vs. Ryan Raines, Pharmacy Technician

Certification No. 67008275A
Administrative Cause No. 2006 IBP 0038
Re: Extension of Summary Suspension

Parties and Counsel Present:

Shelley Johnson, Deputy Attorney General

Participating Board Members:

Wall

Fanning

Anderson

Landis

Case Summary:

A petition to extend the summary suspension was filed by the State.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

Landis/Anderson

Motion carried 4/0/0

State of Indiana vs. Nicole Guess, Pharmacy Technician

Certification No. 67006773A

Administrative Cause No. 2006 IBP 0041

Re: Petition for Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Wall

Fanning

Anderson

Landis

Case Summary:

A petition for summary suspension was filed by the State.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to summarily suspend Respondent's license for ninety (90) days.

Fanning/Landis

Motion carried 4/0/0

State of Indiana vs. Dawn Bailey, Pharmacy Technician

Certification No. 67009916A

Administrative Cause No. 2007 IBP 0001

Re: Petition for Summary Suspension

Parties and Counsel Present:

Mark Mader, Deputy Attorney General

Participating Board Members:

Wall

Fanning

Anderson

Landis

Case Summary:

A petition for summary suspension was filed by the State.

Witnesses for the Respondent:

None

Witnesses for the State:

None

Board Action:

A motion was made and seconded to extend the summary suspension for an additional ninety (90) days.

Fanning/Landis

Motion carried 4/0/0

ADOPTION OF MINUTES FROM DECEMBER 11, 2006 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes of the December 11, 2006 meeting of the Board.

Landis/Fanning

Motion carried 4/0/0

MISCELLANEOUS

Discussion of Pharmacy Intern Permits
Discussion of the Methodist Heparin Incident
HME Sellers
Board Director's Report

A motion was made and seconded to deny Carolina Hernandez's intern hours.

Landis/Anderson

Motion carried 4/0/0

OLD/NEW BUSINESS

A motion was made and seconded to nominate Steve Anderson for President of the Board of Pharmacy.

Fanning/Landis

Motion carried 4/0/0

A motion was made and seconded to nominate William Cover for Vice President of the Board of Pharmacy.

Anderson/Landis

Motion carried 4/0/0

The Board received information regarding Robert Waite, R.Ph., who is currently on probation with the Board. Mr. Waite has been released from his PRN contract and was arrested over the Christmas holiday. The Board requested that Mr. Allain file a consumer complaint against Mr. Waite.

The meeting adjourned at 2:41 p.m.

Donna Wall, PharmD, R.Ph., President
Indiana Board of Pharmacy

Date

Next Scheduled Meeting:

Monday, February 12, 2006
Indiana Professional Licensing Agency
Conference Room W064